

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ZANGO, INC.,

Plaintiff,

v.

PC TOOLS PTY, LTD.,

Defendant.

NO. 07-CV-00797 JCC

DECLARATION OF TOM ALLAN
IN OPPOSITION TO PC TOOLS'
MOTION TO DISMISS

I, Tom Allan, declare as follows:

1. I am the Director of Finance for plaintiff Zango, Inc. My responsibilities as Director of Finance include, among other duties, revenue analysis and forecasting. I make this declaration based upon my personal knowledge.

2. Zango's has lost more than 143,000 customers in the United States in recent months. This is based on a comparison of the seven-day average for the week of March 29, 2007 as compared to the week of June 17, 2007. I know of no market-based reason for this decline. Rather, I believe it to be attributable to the interference with our software applications by PC Tools and a few other anti-spyware companies.

DECLARATION OF TOM ALLAN IN OPPOSITION TO PC
TOOLS' MOTION TO DISMISS - 1
No. 07-CV-00797

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1 3. I am aware that Derek Immekus has separately calculated that there are more than
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3 53,000 Zango customers in the State of Washington. I believe that this substantial Washington
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5 presence has been harmed by PC Tools to the same extent as Zango's customer base in other
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7 states. Stated another way, I know of no reason why the harm done by PC Tools to Zango would
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9 occur exclusively outside the state of Washington.

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11 4. My belief is reinforced by the volume of Spyware Doctor downloads in
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13 Washington state. I understand PC Tools claims that Washington resident constitute .07 percent
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15 of total downloads from PC Tools' web site, and that PC Tools claims a total of 100 million
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17 downloads (thus meaning that perhaps as many as 70,000 Washington residents have
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19 downloaded Spyware Doctor). I do not believe it possible that PC Tools Spyware Doctor is not
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21 affecting the 53,000 Zango customers in Washington.

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23 I declare under penalty of perjury that the foregoing is true and correct.

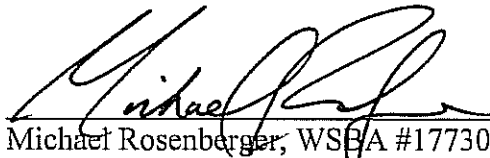
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25 DATED this 18th day of June, 2007, at Seattle, Washington.

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29 s/ Tom Allan
30 Tom Allan
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CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following persons:

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